

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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| UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</small> | Attorney Docket No. | 2799.1001-002 |
| | First Named Inventor or Application Identifier | Vadim R. Viviani |
| | Express Mail Label No. | EV005367542US |

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| Title of Invention | NUCLEIC ACID MOLECULES ENCODING RED AND GREEN EMITTING LUCIFERASES |
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| <p style="text-align: center;">APPLICATION ELEMENTS</p> <p>See MPEP chapter 600 concerning utility patent application contents.</p> <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages 43] <i>(preferred arrangement set forth below)</i></p> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to microfiche Appendix - Background of the Invention - Summary of the Invention - Brief Description of the Drawings - Detailed Description - Claim(s) - Abstract of the Disclosure <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 7] <input type="checkbox"/> Formal <input checked="" type="checkbox"/> Informal <input type="checkbox"/> Fig. of the Drawings for Publication <input type="checkbox"/></p> <p>4. <input checked="" type="checkbox"/> Oath or Declaration/POA [Total Pages 6]</p> <p style="padding-left: 20px;">a. <input type="checkbox"/> Newly executed (original or copy)</p> <p style="padding-left: 20px;">b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> [NOTE Box 5 below]</p> <p style="padding-left: 40px;">i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).</p> <p>5. <input checked="" type="checkbox"/> Incorporation By Reference <i>(useable if Box 4b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> | <p>ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231</p> <p>6. <input type="checkbox"/> Microfiche Computer Program <i>(Appendix)</i></p> <p>7. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i></p> <p style="padding-left: 20px;">a. <input type="checkbox"/> Computer Readable Copy</p> <p style="padding-left: 20px;">b. <input checked="" type="checkbox"/> Paper Copy (identical to computer copy) 9 Pages</p> <p style="padding-left: 20px;">c. <input type="checkbox"/> Statement verifying identity of above copies</p> |
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| ACCOMPANYING APPLICATION PARTS |
| <p>8. <input type="checkbox"/> Assignment Papers (cover sheet & documents) <input type="checkbox"/> Assignee -</p> <p>9. <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement <input type="checkbox"/> Power of Attorney</p> <p>10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i></p> <p>11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)</p> <p>14. <input type="checkbox"/> Small Entity Statement(s) <input checked="" type="checkbox"/> Statement filed in prior application, status still proper and desired</p> <p>15a. <input checked="" type="checkbox"/> Foreign Priority Claim under 35 U.S.C. §119(a)-(b)</p> <p>15b. <input type="checkbox"/> Certified Copy of Priority Document(s)</p> <p>16. <input type="checkbox"/> Nonpublication Request <i>(check parent application)</i></p> <p>17. <input checked="" type="checkbox"/> Other: <u>Remarks, Request Under 37 C.F.R. §1.821(e)</u></p> |

18. **If a CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/516,958
 Prior application information: Examiner: E. Slobodyansky Group Art Unit: 1652

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|-----------------------------------|---|-----------|----------------|----------|----------------|
| 19. CORRESPONDENCE ADDRESS | | | | | |
| NAME | Alice O. Carroll, Esq. | | | | |
| | HAMILTON, BROOK, SMITH & REYNOLDS, P.C. | | | | |
| ADDRESS | 530 Virginia Road, P.O. Box 9133 | | | | |
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| | | | |
|---------------------------------------|-------------------------|-------------|-------------------|
| Signature | <i>Alice O. Carroll</i> | Date | November 14, 2001 |
| Submitted by Typed or Printed Name | Alice O. Carroll | Reg. Number | 33,542 |

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| FEE TRANSMITTAL FOR PATENT APPLICATIONS | Attorney Docket Number | 2799.1001-002 |
| | Application Number | |
| | First Named Inventor | Vadim R. Viviani |

CLAIM CALCULATION (includes any preliminary amendment)

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--------|---|------------------|------------------|--------------------------------------|------------------|
| | TOTAL CLAIMS (37 CFR 1.16(c) or (j)) | 5 - 20* = | 0 | x \$ 18 = | \$ 0 |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i)) | 3 - 3** = | 0 | x \$ 84 = | \$ 0 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | + \$ 280 = | \$ |
| | | | | BASIC FEE (37 CFR 1.16(a) or (h)) | \$ 740 |
| | | | | Total of above Calculations = | \$ 740 |
| | Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) = | | | | \$ 370 |
| | TOTAL = | | | | \$ 370 |
| | Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) = | | | | \$ |
| | Petition for Extension of Time Fee (37 C.F.R. 1.17) = | | | | \$ |
| | Assignment Recordation Fee = (only when filed with application) | | | | \$ |
| | * Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent | | | TOTAL = | \$ 370 |

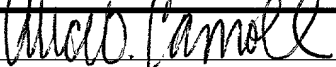
1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☒ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$370.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

| | | | |
|---------------------------------------|---|-------------|-------------------|
| Signature |  | Date | November 14, 2001 |
| Submitted by Typed or Printed Name | Alice O. Carroll | Reg. Number | 33,542 |